

1 ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
2 Public Hearing
3 Air Pollution Control Construction Permit for
4 Midwest Generation Joliet Generating Station

5
6 September 24th 2015
7 17840 Laraway Road, Joliet, Illinois
8 at 7:00 o'clock p.m.

9
10 Report of Proceedings had at the meeting on
11 September 24th, 2015, at the hour of 7:00 o'clock p.m,
12 pursuant to notice, at 17840 Laraway Road, Joliet, Illinois,
13 before HEARING OFFICER DEAN STUDER.

14

15 APPEARANCE:

16 ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
17 MR. DEAN STUDER, Hearing Officer, Right-To-Know
Coordinator, Office of Community
18 Relations
19 MR. BOB SMET, Permit Engineer, Bureau of Air
MR. CHRISTOPHER P. ROMAINÉ, Construction Permits Unit
Manager Permit Section, Bureau of Air
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1 HEARING OFFICER STUDER: Good evening. I take
2 it everyone can hear me. It's a couple minutes
3 after 7:00, so we're going to go ahead and get
4 started.

5 My name is Dean Studer, and I'm the
6 Hearing Officer for the Illinois Environmental
7 Protection Agency on behalf of Director Lisa
8 Bonnett. I welcome you to tonight's hearing.

9 My purpose tonight is to ensure that this
10 proceeding is run properly and according to the
11 rules, and is conducted in a fair and efficient
12 manner.

13 Personally, I will not be responding to
14 specific technical issues related to the permits,
15 but will defer such issues to the technical staff
16 with me. This is an informational hearing before
17 the Illinois EPA in the matter of an application for
18 an air pollution control construction permit for
19 Midwest Generation, LLC, for its Joliet Generating
20 Station.

21 The proposed project would convert the
22 boilers at this station from burning coal to burning
23 gas. Midwest Generation would also construct a
24 natural gas-fired auxiliary boiler and natural

1 gas-fired fuel heaters as part of this project.

2 This project will greatly reduce annual
3 emissions of sulfur dioxide, nitrogen oxide, and
4 particulate matter from the Joliet station. The
5 facility will continue to be a non-major source of
6 emissions of volatile organic material.

7 The proposed project would not be a major
8 project for the purposes of New Source Review. For
9 the main boilers, conversion to natural gas will
10 result in certain emission standards that currently
11 apply to these boilers no longer being applicable.

12 In addition, the conversion may result in
13 the main boilers becoming subject to certain other
14 emission standards. The Illinois EPA is holding
15 this hearing for the purpose of accepting comments
16 from the public on the proposed issuance of the
17 construction permit for this project, prior to
18 actually making a final decision on the application.

19 This public hearing is being held under
20 the provisions of Illinois EPA's procedures for
21 permit and closure plan hearings, which can be found
22 at 35 Illinois Administrative Code, Part 166,
23 Subpart A.

24 Copies of these procedures can be accessed

1 on the website for the Illinois Pollution Control
2 Board at www.ipcb.state.il.us; or if you do not have
3 easy access to the Internet, copies can be obtained
4 from me on request.

5 An informational public hearing means
6 exactly that. It is an opportunity for you to
7 provide information to the Illinois EPA concerning
8 this permit. This is not a contested case hearing.

9 I would like to explain how tonight's
10 hearing is going to proceed. First, I will have the
11 Illinois EPA staff person introduce himself and make
12 opening remarks regarding the project and the draft
13 permit. I will then give more details on how
14 comments will be taken this evening.

15 You are not required to provide your
16 comments orally. Written comments are given the
17 same consideration and may be submitted to the
18 Illinois EPA at any time during the comment period,
19 which ends on October 9th, 2015.

20 All comments submitted by mail must be
21 post marked in sufficient time to arrive at the
22 Illinois EPA headquarters in Springfield by no later
23 than October 9th. Although we will continue to
24 accept comments through that date, tonight is the

1 only time that we will accept oral comments.

2 At the present time, Illinois EPA
3 anticipates a final decision in this matter later
4 this fall; however, the actual decision date will
5 depend upon the number and nature of comments
6 received, as well as other factors.

7 Any person who wants to make oral comment
8 may do so, as long as the statements are relevant to
9 the issues at hand and time allows. If you do not
10 have -- if you have not signed a registration card
11 at this point, please see Brad Frost at the
12 registration table, and he can provide you with a
13 registration card.

14 Please be sure to check the appropriate
15 box on the card, if you desire to make comments at
16 the hearing this evening. If you have lengthy
17 comments, please consider providing a summary of
18 those comments at this hearing, and then submitting
19 your comments in their entirety to me in writing
20 before the end of the comment period, and I will
21 ensure that they are entered into the hearing record
22 as an exhibit.

23 If your comments fall outside the scope of
24 this hearing, I may interrupt you and ask you to

1 proceed to your next relevant issue. Illinois EPA
2 staff will make an attempt to respond to issues
3 raised, but I will not allow the speakers to argue
4 or engage in a prolonged dialogue with anyone seated
5 at this table or another member of the public.

6 In addition, we want to avoid unnecessary
7 repetition. If anyone before you has already
8 presented information that is contained in your
9 written or oral comments, please feel free to skip
10 over those issues when you speak, because once a
11 point is made, it makes no difference if the point
12 is made multiple times. It will be considered on
13 its merit and will be reflected only once in the
14 responsiveness summary.

15 The final decision of the Illinois EPA
16 will not be based on how many people support or
17 oppose the issuance of the permit, but rather upon
18 the record and whether the facility will comply with
19 applicable laws, regulations and requirements for
20 permit issuance.

21 If someone speaking before you has already
22 said what you desired to say, you may pass when I
23 call your name to come forward. All who complete a
24 registration card or submit written comments in this

1 matter will be notified of the final decision in
2 this matter and of the availability of the
3 responsiveness summary.

4 In the responsiveness summary, the
5 Illinois EPA will respond to all significant and
6 relevant issues that were raised at this hearing, or
7 submitted to me in writing, prior to the close of
8 the comment period. Again, the written record in
9 this matter will close on October 9th, 2015.

10 Again, comments must be physically
11 received by Illinois EPA headquarters in Springfield
12 no later than midnight on October 19th. Any
13 responses made by Illinois EPA staff during this
14 hearing are to be considered preliminary, and will
15 be finalized in writing in the responsiveness
16 summary.

17 While the record is open, all relevant
18 comments and documents and data will be placed into
19 the hearing record as exhibits. Please send all
20 written documents to my attention. You can send
21 them to Dean Studer, Hearing Officer, Office of
22 Community Relations, regarding Joliet Generating
23 Station, Illinois EPA, 1021 North Grand Avenue East,
24 P.O. Box 19276, Springfield, Illinois, 62794-9276.

1 This address is given on the public notice for the
2 hearing tonight.

3 I remind everyone that we have a court
4 reporter here who is taking a record of these
5 proceedings for the purposes of our administrative
6 record. Once I receive the transcript back from the
7 court reporter, I will have it posted on the
8 Agency's web page in the same area where the hearing
9 notice and other documents in this proceeding have
10 been posted.

11 For the benefit of the court reporter,
12 please keep the general background noise in the room
13 to a minimum so that she can hear everything that is
14 said. Also, please silence all cell phones and
15 pagers at this time, if you have not already done
16 so.

17 I now ask the Illinois EPA staff with me
18 to introduce themselves, and then Bob Smet will make
19 some opening remarks regarding this permit.

20 MR. ROMAINE: Good evening, Everybody. My name
21 is Chris Romaine. I am the Manager of the
22 Construction Unit in the EPA's Air Permit Section.

23 MR. SMET: Good evening. My name is Bob Smet,
24 and I'm a Permit Engineer in the Illinois EPA's

1 Bureau of Air.

2 I'll be giving you a brief description of
3 Midwest Generation's application for an air
4 pollution control construction permit for conversion
5 of the Joliet plant to natural gas.

6 The Joliet Station has five-coal fired
7 boilers. These boilers make steam to power turbine
8 generators that supply electricity to the grid. In
9 this project, these boilers would be permanently
10 converted from burning coal to burning natural gas.

11 Control equipment that is required to
12 reduce emission of particulate matter and mercury
13 from the burning of coal will no longer be necessary
14 when they are converted to natural gas. This is
15 because natural gas does not contain ash or the
16 amount of mercury contained in coal.

17 Aside from the conversion of the existing
18 boilers, a natural gas-fired auxiliary boiler and
19 six small fuel heaters will also be constructed.
20 The auxiliary boiler will be used to supply steam
21 for plant heating and to assist in the startup of
22 the main boilers. The heaters will be used to
23 indirectly heat natural gas for use in the main
24 boilers.

1 The project will not be accompanied by
2 significant increases in any emissions of pollutants
3 that are regulated under the federal rules for
4 prevention of significant deterioration, also known
5 as PSD, or the state rules for Major Stationary
6 Source Construction and Modification, or MSSCAM.

7 In particular, there will be steep
8 decreases in emissions of nitrogen oxide, sulfur
9 dioxide, carbon monoxide and particulate matter from
10 the conversion from coal to natural gas in the
11 existing main boilers at the Joliet plant.

12 Only emissions of volatile organic
13 materials from the project will increase, but not
14 significantly, so that overall, this project, in
15 combination with decreases, and the additional
16 increase of emissions from the auxiliary boiler and
17 heaters, will not entail significant increase in any
18 emissions of any regulated pollutants.

19 To ensure that the limits set in the
20 permit are met, the construction for the conversion
21 would set operational limits on the amount of fuel
22 burned by different units and require testing,
23 monitoring, recordkeeping and reporting to address
24 compliance with applicable limits and requirements.

1 For the main boilers and the auxiliary
2 boiler, this would include continuous emissions
3 monitoring for emissions of nitrogen oxide and stack
4 testing for carbon monoxide.

5 In closing, the Illinois EPA is proposing
6 to issue a construction permit for the proposed
7 conversion project. We welcome your questions and
8 comments on this proposed action. Thank you.

9 HEARING OFFICER STUDER: Thank you, Bob. While
10 the issues raised tonight may, indeed, be heartfelt
11 concerns to many of us in attendance, applause and
12 other noises made in response to comments are not
13 appropriate during the course of the hearing this
14 evening.

15 I ask that all comments made tonight
16 relate to the air permitting transaction under
17 consideration by Illinois EPA. Statements and
18 comments that are of a personal nature, or reflect
19 on the character or motive of a person or group of
20 people, are not appropriate in this hearing.

21 If statements or comments begin to drift
22 into this area, or begin to drift away from issues
23 involved with this permit, I may interrupt the
24 person speaking and ask that they proceed to their

1 next relevant issue.

2 As Hearing Officer, I intend to treat
3 everyone here tonight in a respectful and
4 professional manner. I ask that the members of the
5 panel, and those in attendance at this hearing, do
6 the same.

7 If the conduct of persons attending this
8 hearing should become unruly, I am authorized to
9 adjourn this hearing, should the actions warrant.
10 In such a case, the Illinois EPA would continue to
11 accept written comments through the close of the
12 comment period.

13 I also note for the record that there is
14 currently a rulemaking pending before the Illinois
15 Pollution Control Board regarding emission
16 standards. Illinois EPA is not in a position to
17 accept comments or statements regarding that
18 rulemaking during this proceeding. That proceeding
19 is pending before the Board, and we are not in a
20 position to discuss the pending proceeding at this
21 hearing.

22 We do have a limited time in which to
23 conduct this hearing and are here tonight to listen
24 to environmental issues associated with this air

1 permitting action. You may disagree with or object
2 to some of the statements and comments made tonight,
3 but this is a public hearing, and everyone has a
4 right to express their comments on this permitting
5 matter.

6 Again, written comments are given the same
7 consideration as oral comments received during this
8 hearing, and may be submitted to Illinois EPA at any
9 time within the public comment period, which runs
10 through October 9th, 2015.

11 Again, tonight is the only time that we
12 will accept oral comments. Members of the public
13 are allowed eight minutes per speaker. If everyone
14 has had an opportunity to speak, and time allows, I
15 may allow those who initially did not desire to
16 speak to do so.

17 When it is your turn to speak, I will call
18 your name. Please come forward and state your name
19 and, if applicable, any governmental body,
20 organization or association that you represent. If
21 you are not representing a governmental body,
22 organization or an association, you may simply
23 indicate that you are a concerned citizen or a
24 member of the public.

1 For the benefit of the court reporter, I
2 ask that you spell your last name. If there are
3 alternate spellings of your first name, you may also
4 spell your first name. Once you spell your name, I
5 will start timing you, and you will have eight
6 minutes to complete your comments.

7 I ask that while you are speaking, that
8 you direct your attention to the hearing panel and
9 to the court reporter, to ensure that an accurate
10 record of your comments can be made.

11 Prolonged dialogue with others here in
12 attendance is not permitted. Comments directed to
13 the public are also not allowed. If you are reading
14 comments from a prepared statement, I ask that you
15 consider leaving a copy of that statement with the
16 court reporter. I'm not requiring this, but doing
17 so will help to ensure that she has an accurate
18 transcription of what you say.

19 Again, I remind everyone the focus of this
20 hearing is environmental issues associated with the
21 air pollution control construction permit.

22 Are there any questions regarding the
23 procedures that I'll be using in conducting the
24 hearing this evening?

1 Okay, let the record indicate that no one
2 raised their hand. The first person to speak this
3 evening will be Mr. Bill Naglosky. He's the Joliet
4 Generating Station Director.

5 If Mr. Naglosky would come forward. I
6 point out that we do have an issue with microphones
7 this evening, and there's a lot of static, because
8 apparently both of these are on the same channel.

9 So you will be turning the speaker on or
10 the microphone on and off, and we'll be alternating
11 here, to make sure we keep the static to a minimum,
12 so that everybody can hear what's said.

13 MR. NAGLOSKY: William Naglosky,
14 N-a-g-l-o-s-k-y. Good evening. I'm Bill Naglosky,
15 Station Director of Joliet Generating Station.
16 Thank you, Mr. Studer, for allowing me the
17 opportunity to speak at this hearing.

18 I, and other Midwest Generation
19 representatives, are here tonight to show our
20 agreement with and support for the Agency's proposed
21 permit for conversion of Joliet electrical
22 generating station units from coal to natural gas
23 operation.

24 Joliet Generating Station can produce

1 1,468 megawatts of electricity, enough to power more
2 than 1.6 million homes. Our stated practice and
3 goal is to operate our units in full compliance with
4 all environmental laws and regulations, to ensure
5 that we consistently and constantly monitor our
6 operations for compliance and to look for
7 opportunities to improve our environmental
8 performance.

9 We are proud of the opportunity that the
10 proposed gas conversion provides. We will keep jobs
11 in the area for both our direct station employees
12 and for hundreds and hundreds of contractors and
13 laborers that we use throughout the year.

14 Many of the people who work at Joliet live
15 in the Joliet area. There is proposed rule before
16 the Illinois Pollution Board that will limit the
17 sulfur dioxide emissions at Joliet to a level that
18 can only be achieved by fuel conversion.

19 Midwest Generation fully supports the
20 IEPA's proposal to the Board and has applied for the
21 permit to construct natural gas burners on the units
22 that is the subject of tonight's meeting.

23 IEPA's proposed permit places limits on
24 the operation of Joliet units via fuel throughput

1 and total emissions. Joliet's conversion from coal
2 to natural gas is projected to reduce actual plant
3 emissions of sulfur dioxide by more than 99 percent
4 per year, actual emissions of particulate matter by
5 more than 95, actual emissions of fine particulate
6 matter by more than 90 percent, and actual NOx
7 emissions by more than 80 percent per year.

8 Once converted, air pollutant emissions
9 from the facility will be significantly reduced. As
10 a representative of Joliet Station specifically, and
11 Midwest Generation generally, I would like to thank
12 the Agency for its work to prepare this draft permit
13 and encourage quick issuance of this permit, so that
14 we can begin the work to convert the units to
15 natural gas operation.

16 We support issuance of this permit as
17 drafted, and it is consistent with our needs and
18 complies with all Illinois and federal environment
19 laws and regulations. Thank you.

20 HEARING OFFICER STUDER: Thank you,
21 Mr. Naglosky. For the record, he used the word NOx,
22 which is capital N capital O small X.

23 The next person will be Bryan Nolan, and
24 he'll be followed by Mark Howard.

1 MR. NOLAN: How you doing? My name Bryan
2 Nolan, Nolan. I support the turnover from gas --
3 from coal to natural gas. That is all I'd like to
4 say.

5 HEARING OFFICER STUDER: Mark Howard. He'll be
6 followed by Curt Roderback.

7 MR. HOWARD: I'm Mark Howard from Herscher,
8 Illinois. I currently work for an organization that
9 works these plants constantly, and I know we've been
10 trying for years to bring these up to EPA
11 regulations. These bring a lot of income to
12 families in the area.

13 HEARING OFFICER STUDER: Can everyone hear?

14 MR. HOWARD: These plants bring a lot of income
15 to everyone around the area. I know that Midwest
16 Generation is doing everything they possibly can to
17 bring these up to the EPA regulations.

18 So please consider this facility provides
19 a lot of income for families throughout the area.
20 That's all I have.

21 HEARING OFFICER STUDER: Thank you. It looks
22 like Curt Roderback.

23 MR. RODERBACK: I'll pass.

24 HEARING OFFICER STUDER: Is there anyone here

1 tonight that would like to make a comment on the
2 record that hasn't done so?

3 Okay, we've got one, two, three. Okay,
4 we'll go ahead, and we'll start with you. If you
5 would come forward. State your name and spell your
6 last name for the record, please.

7 MR. RIEL: My name is John Riel, R-i-e-l. I
8 represent the Boilermakers Union. First, I would
9 like to thank Midwest Gen for being a good employer,
10 in trying to keep these plants open and by doing
11 these conversions, instead of closing the plants
12 down.

13 Instead of closing these plants down, we
14 have seen -- as we have seen across the country,
15 Midwest Gen continues to keep our members, as well
16 as others from the surrounding area, employed and as
17 well as bringing in needed tax dollars.

18 By lowering these emissions, I believe
19 that we should accept the permit and move forward.
20 Thank you.

21 HEARING OFFICER STUDER: Thank you. There was
22 a person in the blue shirt.

23 MR. GUSTAFSON: My name is Justin Gustafson,
24 G-u-s-t-a-f-s-o-n. I'm here representing the

1 Boilermakers Union out Chicago.

2 HEARING OFFICER STUDER: Can everyone hear?

3 MR. GUSTAFSON: I would also like to support
4 the conversion from coal to gas. I've worked
5 Midwest Gen plants, including Rockport and Joliet
6 Station for the last 15 years.

7 I'm a third-generation boilermaker. My
8 family has been working in these plants since they
9 were built. They built the plants. I know for a
10 fact NRG and Midwest Generation has done everything
11 they can to meet all the standards day in and day
12 out.

13 They are always working to keep their
14 plants clean and do everything they need to keep the
15 plants running. I believe this conversion to gas
16 will bring a lot of income to a lot of people.
17 There is a lot of boilermakers that live in the
18 Joliet area.

19 There is a lot of operators that live in
20 the Joliet area. It directly affects these people.
21 The engineers have come up with facts and ways to
22 convert these plants to run clean. I fully support
23 the conversion.

24 HEARING OFFICER STUDER: Thank you.

1 MR. GREGORY: Good evening. My name is
2 Doc Gregory, G-r-e-g-o-r-y. I am the president of
3 the Will County Building Trades and also business
4 agent with Pipefitters Local 597. I was born and
5 raised in Joliet.

6 I used to wake up and see the stacks every
7 day out of my front window. I worked in the plant
8 on and off for 30 years. Midwest Generation, NRG, I
9 commend them for the boiler conversion, which will
10 lower the emission standards both federally and
11 under the Illinois EPA guidelines.

12 And I just want to say that there is a lot
13 of new technology, and there's buses, if you look
14 around, that use natural gas, propane, that the
15 Federal Government is going to.

16 This plant serves lots of people around
17 this area for jobs and income, and this project will
18 be a big huge job for all the building trade
19 affiliates and the pipefitters, boilermakers,
20 electricians, and I urge the Illinois EPA to issue
21 the permit for the project. Thank you.

22 HEARING OFFICER STUDER: Thank you. Is there
23 anyone else? Sir, if you come forward. State your
24 name and spell your last name for the record.

1 MR. HARROD: Hi. My name is James Harrod,
2 H-a-r-r-o-d. I'm the project manager for Hayes
3 Mechanical, the contractor that has been awarded the
4 contract to work on this conversion.

5 I'm project manager for Hayes Mechanical.
6 We're the mechanical contractor that is going to do
7 the direct conversion from coal to natural gas at
8 the Joliet facility.

9 Hayes Mechanical would like to express
10 their opinion to support this permit and grant the
11 permit so the construction project can go forward.
12 Our company has worked with Midwest Generation for
13 close to 100 years. We will be a 100-hundred year
14 old company from 1918.

15 We've employed pipefitters, boilermakers
16 and mill writes in the Will County, Cook County,
17 Illinois, area for almost 100 years. We have
18 good-paying jobs for these crafts people.

19 This project will peek out with just the
20 Hayes Mechanical portion at 300 crafts person.
21 These are good-paying jobs for local residents in
22 Will County, Cook County, and the area around this
23 plant.

24 And again, Hayes Mechanical supports that

1 this permit be granted. I would like to thank the
2 Illinois EPA for giving me the opportunity to voice
3 this opinion.

4 HEARING OFFICER STUDER: Thank you. Is there
5 anyone else in the room that has not spoken this
6 evening that would like to make a comment on the
7 record?

8 Sir, if you would come forward, please.

9 MR. SUKLE: My name is Troy Suple, S-u-k-l-e,
10 representing Boilermakers Local 1 out of Chicago.

11 I would just like to say in the past few
12 years, we have already lost a couple generating
13 stations that went down, including Crawford, Fisk
14 and State Line.

15 We fully support this conversion, and by
16 shutting it down or not doing the project, we'll be
17 losing thousands of jobs for the building trades,
18 not only just for this job, but for in the future.

19 And this is very important to all the
20 building trades, in keeping this plant running, and
21 we fully support it. That's all I've got. Thank
22 you.

23 HEARING OFFICER STUDER: Thank you. Is there
24 anyone else that would like to make a comment? Sir,

1 if you would come forward.

2 SENATOR MCGUIRE: Thank you. Pat McGuire,
3 M-c-G, as in George, u-i-r-e, State Senator 43rd
4 District.

5 These units are in my district. I am glad
6 to hear the conversion will reduce emissions and
7 create upwards of 300 jobs. Adjacent to the plant
8 is Caterpillar, which is losing more and more jobs.
9 Caterpillar today announced a further reduction.

10 So the fact that up to 300 trades persons
11 will be employed at this conversion, and again
12 emissions will be reduced, earns my wholehearted
13 support. Thank you.

14 HEARING OFFICER STUDER: Thank you. Is there
15 anyone else in the room that would like to make a
16 comment on the record?

17 Okay, let the record indicate I had no
18 response. I remind everyone that we are accepting
19 written comments in this matter through October 9th.
20 Hearing comments need to be received by Illinois EPA
21 headquarters in Springfield by October 9th. So they
22 need to be mailed in sufficient time to arrive at
23 that time.

24 Also, for those that have arrived later

1 this evening and did not register, if you want to be
2 on the mailing list for this proceeding, please let
3 Brad at the registration table know, and he can give
4 you a registration card to fill out.

5 If there are no further comments, I
6 appreciate everyone coming out this evening, and
7 this hearing is adjourned.

8 (WHICH WERE ALL THE PROCEEDINGS HAD.)

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1 STATE OF ILLINOIS)
) SS:
2 COUNTY OF C O O K)

3 Pamela A. Marzullo, C.S.R., being first duly sworn
4 on oath, says that she is a court reporter doing business in
5 the city of Chicago; that she reported in shorthand the
6 proceedings had at the foregoing trial of the
7 above-mentioned cause; that the foregoing is a true and
8 correct transcript of her shorthand notes, so taken as
9 aforesaid, and contains all the proceedings had at the said
10 hearing.

11
12 _____
 PAMELA A. MARZULLO
 License No. 084-001624